

NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI  
MS State Department of Health



MS State Department of Health  
c/o Vickey Maddox  
P. O. Box 1700  
Jackson, MS 39215-1700

Specific Legal Authority Authorizing the promulgation  
of Rule: §41-85-1 through 41-85-25

601-364-1101  
Telephone Number

Reference to Rules repealed, amended or suspended by  
the Final Rule:  
Minimum Standards of Operation for Hospice

Vickey.Maddox@msdh.state.ms.us  
Email Address

Date Rule Proposed: June 2, 2008  
Date Rule Adopted: July 8, 2008

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** Changes were made to Section 101.27, Governing Body, in order to change the definition of "Governing Body" to comply with House Bill 453, Legislative Session 2009. The requirement that the governing body of a hospice program be composed of a minimum number of persons who are representatives of the local community at large and for related purposes was deleted.

**The Agency Rule Making Record for this rule including any written comment(s) received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.**

☒ An oral proceeding was held on this rule:  
Date: July 1, 2009  
Time: 2:00 p.m.  
Place: MSDH, Office of Licensure, Bureau of Health Facilities Licensure and Certification,  
143-B LeFleur's Square, Jackson, MS 39211

☐ An oral proceeding was not held on this rule.

**The Agency has considered the written comments and the presentations made in any oral proceedings, and:**

- ☒ This rule as adopted is without variance from the proposed rule.
- ☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.
- ☐ This rule as adopted differs from the proposed rule and all of the following apply:
- The differences are within the scope of the matter in the notice of proposed rule adoption,
  - The differences are a logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
  - The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Final Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: August 08, 2009

Marilynn Winborne, Bureau Director  
Printed Name/Title of Person Submitting Rule for Filing

Marilynn Winborne  
Signature